

SHELBY COUNTY 2010 DISASTER RECOVERY ACTION PLAN

**Utilizing Supplemental Community Development Block Grant Disaster
Recovery Funding from the Supplemental Appropriations Act (Public
Law 111-212), 2010**

Through the U.S. Department of Housing and Urban Development

Docket No. FR-542-N-01

[Federal Register: November 10, 2010 (Volume 75, Number 217)]

SUBMITTED BY:

Shelby County, Tennessee

Department of Housing

1075 Mullins Station Road

Memphis, TN 38134

(901) 379-7100

MARK H. LUTTRELL, JR., MAYOR

JIM VAZQUEZ, DEPARTMENT ADMINISTRATOR



Para mas información en Español, por favor llame al 901-545-4265

APPLICATION FOR FEDERAL ASSISTANCE

OMB Approved No. 3076-0006

Version 7/03

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		2. DATE SUBMITTED		Applicant Identifier	
Pre-application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		3. DATE RECEIVED BY STATE		State Application Identifier	
		4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier	
5. APPLICANT INFORMATION					
Legal Name: Shelby County Government			Organizational Unit: Department: Housing		
Organizational DUNS: 4117889			Division: Planning & Development		
Address: Street: 1075 Mullins Station Road			Name and telephone number of person to be contacted on matters involving this application (give area code)		
City: Memphis			Prefix: Mr.		
County: Shelby			First Name: Jim		
State: TN			Middle Name C.		
Zip Code 38134			Last Name Vazquez		
Country:			Suffix:		
			Email: jim.vazquez@shelbycountyttn.gov		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 62-6000841			Phone Number (give area code) 901-379-7102		Fax Number (give area code) 901-379-7129
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify) <input type="checkbox"/>			7. TYPE OF APPLICANT: (See back of form for Application Types) County Government Other (specify)		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 14-218 TITLE (Name of Program): Labor Management Cooperation Program			9. NAME OF FEDERAL AGENCY: Department of Housing and Urban Development		
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Millington Arlington and Unincorporated Shelby County, TN			11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: 2010 Storm and Flooding Disaster Recovery Project		
13. PROPOSED PROJECT Start Date: 2/1/2011 Ending Date: 6/30/2014			14. CONGRESSIONAL DISTRICTS OF: a. Applicant 7, 8, 9 b. Project 7 and 8		
15. ESTIMATED FUNDING:			16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?		
a. Federal	\$	1,212,788	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:		
b. Applicant	\$		b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372		
c. State	\$		<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW		
d. Local	\$		17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?		
e. Other	\$		<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No		
f. Program Income	\$				
g. TOTAL	\$	1,212,788			
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.					
a. Authorized Representative					
Prefix Mr.	First Name Mark		Middle Name H.		
Last Name Luttrell			Suffix Jr.		
b. Title Mayor			c. Telephone Number (give area code) 901-545-4500		
d. Signature of Authorized Representative			e. Date Signed		

Previous Edition Usable
Authorized for Local Reproduction

Standard Form 424 (Rev.9-2003)
Prescribed by OMB Circular A-102

Para mas información en Español, por favor llame al 901-545-4265

Table of Contents

Executive Summary.....	Page 3
Disaster Recovery and Shelby County's Recovery Needs.....	Page 6
Post Disaster Recovery Efforts.....	Page 8
Plan Development	Page 9
Entity Administering the Funds.....	Page 10
Citizen Participation	Page 10
Displacement Plan.....	Page 11
Amendments to the Plan.....	Page 11
Proposed Activities.....	Page 12
Certifications.....	Page 23

List of Tables

Table 1 Summary of Proposed 2010 Disaster Recovery Funds Expenditures.....	Page 4
--	--------

List of Figures

Figure 1 Douglas Park Detention Basin.....	Page 14
Figure 2 Town Hall Detention Basin.....	Page 15
Figure 3 Arlington Developmental Center Detention Basin.....	Page 16
Figure 4 Flood Conditions/Pumper 69 Service Area.....	Page 19
Figure 5 Emergency Flood Relied Pumping Station & Upper Newport Drainage Channel Improvements	Page 21

List of Forms

SF-424.....	Page 1
-------------	--------

Para mas información en Español, por favor llame al 901-545-4265

Executive Summary

Shelby County is required to publish an Action Plan for Disaster Recovery (Action Plan) that describes the proposed use of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funding associated with the Supplemental Appropriations Act, 2010 (Public Law 111-212, approved November 10, 2010) for disaster relief of unmet needs resulting from severe storms and flooding that impacted Shelby County from April 30, 2010 and continuing thereafter as described in the Disaster Summary for FEMA-1909-DR, Tennessee published on May 4, 2010.

This Action Plan will be used by the County to guide the distribution of \$1,212,788.00 in CDBG Disaster Recovery Funding which is being utilized for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure in areas impacted by storms and resulted in a declaration of major disaster. This distribution of funds is based on a HUD calculation for unmet needs for housing, business, and infrastructure recovery based on data provided by the Federal Emergency Management Agency and the Small Business Administration.

A draft of this action plan was made available for public review on Shelby County's website from January 11, 2011 through January 24, 2011 in accordance with HUD requirements for citizen participation. Amendments to this plan will be expected as additional funds become available.

This Action Plan has been prepared in response to HUD's Notice of Funding Availability published in the Federal Register/Volume 75, Number 217, Docket. No. FR-542-N-01.

The flooding events that resulted from the storms beginning April 30, 2010 caused substantial damage in various parts of Shelby County, including parts of Arlington, Millington, Lakeland, and unincorporated portions of Shelby County. In consultation with local representatives and public officials from the affected areas, it was determined that the greatest remaining needs in the disaster area are primarily related to infrastructure improvements which will mitigate similar flooding problems in the future and replacement of a fire pumper lost during the floods. Although numerous homes were impacted, some quite substantially, as a result of the flooding, the impacted residents were generally fortunate to benefit from a quick and effective emergency response from the Federal Emergency Management Agency (FEMA) and various volunteer groups of individuals which through coordinated efforts allowed residents to repair their homes and re-settle in a timely manner. As a result, direct assistance to affected homeowners/residents has not been identified as a high priority need at this time for use of disaster recovery funds.

Table 1 below describes how Shelby County proposes to budget this CDBG Disaster Recovery Funding.

Para mas información en Español, por favor llame al 901-545-4265

Table 1.
Summary of Proposed
2010 Disaster Recovery Funds Expenditures

TOTAL AVAILABLE FUNDS	\$1,212,788.00
Project Name	Total Funds
Arlington Self Storage Facility Detention Basin	\$ 48,000.00
Hidden Meadows Subdivision Detention Basin	\$ 105,000.00
Replacement of Shelby County Fire Engine 69	\$ 257,339.00
Emergency Flood Relief Pumping Station	\$ 500,000.00
Upper Newport Channel Improvements	\$ 75,000.00
Program Delivery	\$ 166,810.00
Administration	\$ 60,639.00
TOTAL PROPOSED BUDGET	\$ 1,212,788.00

Shelby County has identified two high priority Disaster Plan Goals in this Disaster Recovery Action Plan. These Goals are:

- A. Improvement drainage in areas affected by the disaster, and
- B. Replacement of damaged fire and rescue equipment.

The following describes the high priority projects identified by local staff and/or elected officials of Shelby County, Arlington, Bartlett, Collierville, Germantown, Lakeland, and Millington, Tennessee and through public notification and review of this plan. As a result of this input the following projects have been identified as activities for disaster recovery funding in response to the goals identified immediately above.

Activity 1. Douglas Park and Town Hall Detention Basins

- (1) Disaster Plan Goal: Improvement of drainage in areas affected by the disaster
- (2) Objective: Suitable living environment
- (3) Outcome: Sustainability
- (4) Disaster Plan Priority: Flood Drain Improvements (570.201(c))
- (5) Budgeted Amount: \$48,000.00
- (6) Proposed accomplishment: Prevention of future flooding through mitigation with the design and construction of a detention basin
- (7) Location: Town of Arlington, Tennessee at the intersection of Douglas Street and Airline Road, Census Tract 20900-1

Activity 2. Arlington Developmental Center (ADC) Detention Basin

- (1) Disaster Plan Goal: Improvement of in areas affected by the disaster
- (2) Objective: Suitable living environment
- (3) Outcome: Sustainability

Para mas información en Español, por favor llame al 901-545-4265

- (4) Disaster Plan Priority: Flood Drain Improvements (570.201(c))
- (5) Budgeted Amount: \$105,000.00
- (6) Proposed accomplishment: Prevention of future flooding through mitigation with the design and construction of two detention basins
- (7) Location: Town of Arlington, Tennessee on the ADC Property, Census Tract 20900-1.

Activity 3. Replacement of Shelby County Fire Engine 69

- (1) Disaster Plan Goal: Replacement of damaged fire and rescue equipment.
- (2) Objective: Suitable living environment
- (3) Outcome: Sustainability
- (4) Disaster Plan Priority: Fire Stations/Equipment (570.201(c))
- (5) Budgeted Amount: \$257,339.00
- (6) Proposed accomplishment: Provision of a new fire engine to replace the fire engine destroyed in flood
- (7) Location: Unincorporated Shelby County, Station 69, 7365 Brunswick Road, Census Tracts 20700-2, 20810-1, 20810-2.

Activity 4. Emergency Flood Relief Pumping Station

- (1) Disaster Plan Goal: Improvement of drainage in areas affected by the disaster
- (2) Objective: Suitable living environment
- (3) Outcome: Sustainability
- (4) Disaster Plan Priority: Flood Drain Improvements (570.201(c))
- (5) Budgeted Amount: \$500,000.00
- (6) Proposed accomplishment: Prevention of future flooding through mitigation with the design and construction of a flood relief pumping station
- (7) Location: Millington, Tennessee Census Tracts 20300-1, 20300-2, and 20300-3.

Activity 5. Upper Newport Channel Improvements

- (1) Disaster Plan Goal: Improvement of drainage in areas affected by the disaster
- (2) Objective: Suitable living environment
- (3) Outcome: Sustainability
- (4) Disaster Plan Priority: Flood Drain Improvements (570.201(c))
- (5) Budgeted Amount: \$75,000.00
- (6) Proposed accomplishment: Prevention of future flooding improving channel flow and reducing water levels during storm events.
- (7) Location: Millington, Tennessee Census Tract 20300-1, 20300-2, and 20300-3.

Activity 6. Program Delivery

- (1) Disaster Plan Goals: Improvement of drainage in areas affected by the disaster and Replacement of damaged fire and rescue equipment.

Para mas información en Español, por favor llame al 901-545-4265

- (2) Objective: Suitable living environment
- (3) Outcome: Sustainability
- (4) Disaster Plan Priority: General Program Administration (570.206)
- (5) Budgeted Amount: \$166,810.00
- (6) Proposed accomplishment: Prevention of future flooding improving channel flow and reducing water levels during storm events and Provision of a new fire engine to replace the fire engine destroyed in flood
- (7) Location: Shelby County Department of Housing, 1075 Mullins Station Road, Memphis, TN. All program delivery activities associated with the implementation and completion of these activities (i.e. environmental reviews, direct activity supervision, etc.) will be implemented by Shelby County.

Activity 7. Administration

- (1) Disaster Plan Goal: Not applicable
- (2) Objective: Not applicable
- (3) Outcome: Not applicable
- (4) Disaster Plan Priority: Program Administration (570.206)
- (5) Budgeted Amount: \$60,639.00
- (6) Proposed accomplishment: Not applicable

Disaster Declaration and Shelby County's Recovery Needs

Congress has passed the Supplemental Appropriations Act, 2010 (Public Law 111-212, November 10, 2010), which appropriated \$50,000,000.00 in CDBG funds related to disaster relief, long-term recovery, and restoration of infrastructure in areas covered by a declaration of major disaster under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) as a result of recent natural disasters. Shelby County, Tennessee has initially been allocated \$1,212,788.00 of the CDBG funds for recovery from the impacts of the severe storms and flooding. This CDBG Disaster Recovery Plan covers the entire allocation amount of \$1,212,788.00.

Beginning April 30, 2010 and moving into May 1, 2010, a weather system producing severe storms and flooding, straight-line winds, and tornadoes brought disaster to numerous counties in Tennessee and the Mid-South. Shelby County was among the counties severely impacted by this event. In response, a Presidential Disaster Area declaration was issued on May 4, 2010.

While these storms impacted areas throughout Shelby County, major damage especially occurred in the northern portions of Shelby County in areas where drainage systems were not able to carry/convey the sheer volume of water produced by the storm front.

During the storm, and the subsequent flooding, Shelby County and its municipal partners mobilized efforts to prevent individuals from driving into flooded roadways, evacuate

Para mas información en Español, por favor llame al 901-545-4265

individuals from areas affected by the rapidly rising water, and provide shelter to individuals who had to leave their homes.

Spurred by the widespread storm situation, the Shelby County Office of Preparedness which included HomeLand Security (HLS) and EMA, under the direction of Bob Nations, Jr., immediately activated the Emergency Operations Center (EOC) on Saturday, May 1, 2010 after a night of advisories, watches and warnings for flash flooding, thunderstorms and tornadoes. In direct response to the disaster City and county gathered at the EOC to share information about the storm situation, assess the damage and move into a response mode to address the situation. Widespread flash flooding had occurred throughout Shelby County and one of the hardest hit portions of Shelby County was in the City of Millington.

Responders from the Shelby County Sheriff's Office and police and fire departments and all municipalities rallied to prioritize the hundreds of calls resulting from the floods and severe weather. Local SWAT and rescue groups were also brought in to assist with the heavy call loads for help, assistance and information coming in from across the County.

The following is a small sampling of incidents that were occurring across Shelby County as a result of the storm front that moved into the area and ultimately resulted in the disaster declaration:

- (1) Reported Road Closures included: West Street; Old Brownsville; Billy Mayer Road; Ellendale; Highway 51 (from the Millington City Limits to Tipton County line); Yates; Fisk Road; Ranier Creek Road (where the bridge was underwater); Arlington, Millington, Brunswick Roads (which were all completely under water); and New Allen Road which was flooding and had a sink hole develop as a result of the storms).
- (2) All regional hospitals were "on watch" for the severe weather and related emergencies which might develop.
- (3) The following is a sample list of evacuations that were occurring across Shelby County: Millington Minimum Federal Prison was flooded and prisoners were being transported to another undisclosed site; a bed-ridden patient was evacuated from a home at 3645 Truey; Bartlett Police Department reported at least 40 homes were evacuated due to the flooding; the mobile home community at 3859 Vagabon had to be evacuated with 500 citizens who were move to shelter at a nearby church; Prince of Peace Church MB located at 4238 New Allen Road was evacuated (up until its evacuation it was serving as a shelter); the Mid-South Health and Rehab Center was evacuated with its 146 patients moved to a nearby church temporarily; and 10 patients who were on ventilators in their homes were transported to hospital facilities.

Para mas información en Español, por favor llame al 901-545-4265

- (4) In the City of Millington the levee on the south side of the Naval Base was breached and all homes on the base had been flooded resulting in 2,000 citizens being evacuated from the base. The remaining part of the levee was at capacity and posing further danger to residents in areas protected by the levee. Eight boats in addition to those already assisting with evacuations in the area had been requested.
- (5) Discussions were underway to determine how many shelters would be needed to be opened and where the safest place to open them would be in light of the situation. Where possible flooding victims were being moved to shelters close to their homes and the Red Cross was in action readying five (5) shelters for victims of the floods.

The flooding in Shelby County occurred so swiftly that it elicited the following comment from the Red Cross as the agency worked with local leaders and agencies to address its effects in the aftermath of the disaster: "The floods here in the Mid-South haven't gotten the national coverage that many of the latest natural disasters have, which is why the Red Cross is asking Memphians to open their hearts and their wallets to help their neighbors. This is Memphis' Katrina. It's a little one but almost a 7 million dollar little one," said Cynthia Pierce-McNamara with the Red Cross.

As described, the damage associated with the flooding in Shelby County occurred mainly in portions of the northern and northeastern parts of the County particularly those in portions of the City of Millington, the Town of Arlington, and parts of Unincorporated Shelby County. Initial damage assessments carried out by Shelby County Code Enforcement in conjunction with the local Office of Preparedness and TEMA on May 3, 2010 immediately after the event indicated that damage estimates immediately following the disaster approached \$31 million locally. In the City of Millington, the Public Works facility completely flooded as a result of these storms and in answering calls for assistance Shelby County Fire Station 69 in north Shelby County lost a fire pumper while responding to calls for assistance. Direct unanticipated expenses/costs born by Shelby County Government and the City of Millington totaled approximately \$2.1 million.

Post Disaster Recovery Efforts

In the wake of the disaster, Shelby County and other local governments and agencies immediately began their mission of coordinating efforts to assist residents with recovery efforts in the community by working with FEMA, TEMA, the SBA, local governments, the Red Cross and other volunteer organizations at the local level.

As part of the recovery process, numerous outreach efforts have been made to assist residents impacted by the event in addressing their losses from the disaster. Emotional counseling centers were created to assist with emotional and anxiety issues affected residents were dealing with in the aftermath of the storms. Web pages were created to provide residents with information on where to go for assistance, and temporary client intake sites

Para mas información en Español, por favor llame al 901-545-4265

were established to make residents aware of available assistance in coping with the floods impact and securing financial assistance to assist them with the financial burden of the flood.

Public meetings were held in Millington and Bartlett to assist residents with the application process for loans from FEMA and the SBA and to provide direct assistance to those needing help with applications. Prior to the July 19, 2010 SBA Disaster Loan Outreach Center's opening in Shelby County at the Millington Civic Center on 8077 Wilkinsville Road in Millington, local media outlets were utilized to make sure the public was aware of the Outreach Center's Opening and its 8:00 a.m. through 5:00 p.m. hours of operation daily Monday through Friday.

Volunteers organizations, code enforcement and the City of Millington rallied support for those whose home were damaged by the floods to insure that all individuals whose homes were damaged received the necessary help for repairs.

Additionally, Shelby County and the Shelby County Assessor of Property sought legislation to provide tax relief on property that was damaged due to the floods. New legislation allowed the Assessor to reduce qualifying property owners' assessments on both real property buildings and improvements and business tangible personal property that was destroyed or substantially damaged as a result of the floods. Information on the availability of this program was distributed to residents of the community and was available on the Shelby County Assessor's web page.

Similarly, information relevant to assistance was made available at web pages of the Memphis and Shelby County EMA Office, the Shelby County website, the websites of local governments impacted by the disaster, and various local media outlets. Finally, Shelby County's Department of Housing requested waivers of HOME and CDBG requirements in order to better serve residents who might be seeking assistance with home repairs resulting from the storms and floods.

Plan Development

The Shelby County Department of Housing took the lead roll on behalf of Shelby County Government and Urban County partners in developing the projects discussed in this Action Plan. After notification of potential funding and several telephone conferences with HUD and other recipients of CDBG Disaster funds, the Department began the process of researching the existing needs still in existence from the May 2010 disaster. During the course of this research information was pulled together from filings with FEMA for federal assistance, local documentation of disaster related expenditures and data on areas where larger areas of flooding occurred. Much of this information was used to secure appropriate waivers allowed for the use of CDBG funds under the May 4, 2010 Disaster Declaration.

Additionally, the Department discussed the effects of the disaster with the Memphis/Shelby County EMA, Shelby County Fire Department, Shelby County Support Services, Shelby County Engineering, the Mayor of Millington whose community was drastically affected by

Para mas información en Español, por favor llame al 901-545-4265

the floods, the Millington Engineer and other local municipal planners and engineers, as well as others with knowledge of relief efforts related to the disaster. This coordination and research found that the disaster was truly the result of local areas not being able to accommodate the volume of storm water generated during the storm system.

These meetings and discussions resulted in the proposed funded activities described in this Action Plan which are designed to mitigate future floods of this magnitude and assist in the replacement of a key piece of fire/emergency response equipment destroyed while making emergency runs during the disaster itself.

Entity Administering the Funds

The Shelby County Department of Housing (SCDH), a department of Shelby County Government, will be the entity administering the CDBG Disaster Recovery Funds. As the primary organization responsible for the administration of funds, implementation of projects and programs, and the expenditure of this allocation, SCDH will coordinate efforts and activities within the areas impacted by the disaster. This coordination will involve the administration and delivery of all CDBG Disaster Recovery Funds funds, as well as coordinating the activities assisted with these funds with the various governments and departments who will benefit from these expenditures (i.e. Millington, Arlington, and the Shelby County Fire Department). SCDH operates under the direct authority of the Mayor of Shelby County and will continue to receive and benefit from advise and input from the Urban County Consortium.

Shelby County Government will contract with the respective municipalities to implement Disaster Recovery activities in their communities. In the event that amendments to this plan become necessary, Shelby County's Department of Housing will coordinate the amendment efforts and insure that all required procedures are in compliance with Federal Regulations and local CDBG related policies and procedures. In the event, that housing related amendments become necessary, the Department of Housing will directly administer and/or deliver those activities associated with Housing Rehabilitation and Minor Home Repair related to Disaster Recovery. In conclusion, the Mayor of Shelby County, representing the Entitlement Area as a whole, will have final approval of all expenditures.

Citizen Participation

The Draft Annual Plan is being made available for public review from January 17, 2011 to January 24, 2011 on the Shelby County Government website at www.shelbycountyttn.gov.

Written comments should be e-mailed to Mr. Scott Walkup at the following e-mail address: scott.walkup@shelbycountyttn.gov or can be mailed to Mr. Walkup at Shelby County Department of Housing, 1075 Mullins Station Road, Memphis, Tennessee 38134. For more information, please call Mr. Jim Vazquez or Mr. Scott Walkup with the Shelby County Department of Housing at (901) 379-7100. Para mas información en Español, por favor llame al 901-545-4265.

Para mas información en Español, por favor llame al 901-545-4265

Shelby County will continue to utilize its website, email communications, as well as traditional forms of communication to provide reasonable opportunity for citizen comment and ongoing access to information on the use of funds described in the Action Plan.

Displacement Plan

Shelby County will seek to minimize displacement as a result of activities assisted with CDBG Disaster Recovery Funds under this plan. SCDH does not anticipate any activities proposed in this plan will cause displacement, however SCDH will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and will follow its residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs, including those activities assisted with CDBG Disaster Recovery Funds.

Amendments to the Plan

The following events would require a substantial amendment to the 2010 Disaster Recovery Action Plan:

1. Addition or deletion of any eligible activity described in the Plan which is in excess of \$20,000.00; and
2. A 20 percent increase in an activity when the allocated budget for the activity is in excess of \$100,000.00, the funds for the increase come from a different eligible activity, and the transfer of funds alters the reduced project in scope or service level.

SCDH does not regard the following as a substantial amendment:

The increase and/or decrease in the funding level of one or more activity or projects among activities within the 2010 Disaster Recovery Action Plan, provided that the transfer of funds between activities/projects does not result in the cancellation of an activity nor does the transfer of funds result in alteration of an activity or activities in a manner that conflicts with the activities outlined in the Disaster Recovery Action Plan. This provision is not to be construed as allowing the general administrative budget to exceed the allowable limit.

Proposed Substantial Amendments to the 2010 Disaster Recovery Action Plan, if any, will be published on the Shelby County Government website (www.shelbycountyttn.gov), emailed to Urban County Consortium representatives from all effected communities, and will

Para mas información en Español, por favor llame al 901-545-4265

provide for a seven day public comment period. All comments will be considered and responded to in writing within ten business days of receipt.

Proposed Activities

In consultation with the municipal members of the Urban County Consortium and in consultation with Shelby County Public Works and Emergency Management officials, the Community Development activities described below have been identified as high priorities solely for necessary expenses related to disaster relief and long-term recovery in areas affected by severe storms and flooding that occurred beginning April 30, 2010, for which the President declared a major disaster.

Activity 1. Douglas Park and Town Hall Detention Basins

- (1) Disaster Plan Goal: Improvement of drainage in areas affected by the disaster
- (2) Objective: Suitable living environment
- (3) Outcome: Sustainability
- (4) Disaster Plan Priority: Flood Drain Improvements (570.201(c))
- (5) Budgeted Amount: \$48,000.00
- (6) Proposed accomplishment: Prevention of future flooding through mitigation with the design and construction of a detention basin.
- (7) Location: Town of Arlington, Tennessee at the intersection of Douglas Street and Airline Road, Census Tract 20900-1

During the flooding that occurred on May 1-2, 2010, the Town of Arlington experienced flooding along Airline Road which is a major North South roadway running directly through the center of the Town. Flooding in this area impacted local businesses, areas in and around Arlington Town Hall, and resulted in what the City Manager describing as portions of Airline Road and Highway 70 becoming storm water conveyance systems. Storm water rose so quickly in this particular part of Arlington that streets became impassable, areas around Town Hall were under water, and businesses along Airline Road experienced flooding (particularly Arlington Self Storage Facility which experienced flooding in its main office area).

After the disaster occurred, the Engineer for the Town of Arlington, Mr. Steve Hill with PowersHill Design, Inc. conducted a drainage study to determine the cause of the flood water, what caused this particular flooding at the intersection of Douglas Street and Airline Road, and what caused the water to rise to get into the office building, located at 5925 Airline Road in Arlington. Mr. Hill was also asked to determine what mitigation could be performed to prevent future flooding.

Figure 1 depicts the Douglas Park Detention Basin and Figure 2 depicts the Town Hall Detention Basin.

Para mas información en Español, por favor llame al 901-545-4265

Mr. Hill's drainage study indicated that the flood was the result a massive influx of water which came in too fast for the existing drainage system to handle the volume. Mr. Hill recommended that two (2) detention basins be constructed to slow down the water flow and discharge said water flow into the existing drainage system near the Arlington Self Storage Building. The construction of these two detention basins will mitigate any flooding that could result from similar heavy rains in the future. Mr. Hill's design for these two basins will retain approximately 7 acres of water discharge and slow the water flow into the drainage system. Once these two detention basins are installed, future rain of the same magnitude will not flood this section of Town nor will rain and/or rising water be able to enter the offices of the Self Storage facility.

Mr. Hill has designed the two detention basins and provided a cost estimate and what the detention basins would do to prevent flooding. His estimated costs of the two (2) basins are \$48,000.00.

Activity 2. Arlington Developmental Center (ADC) Detention Basin

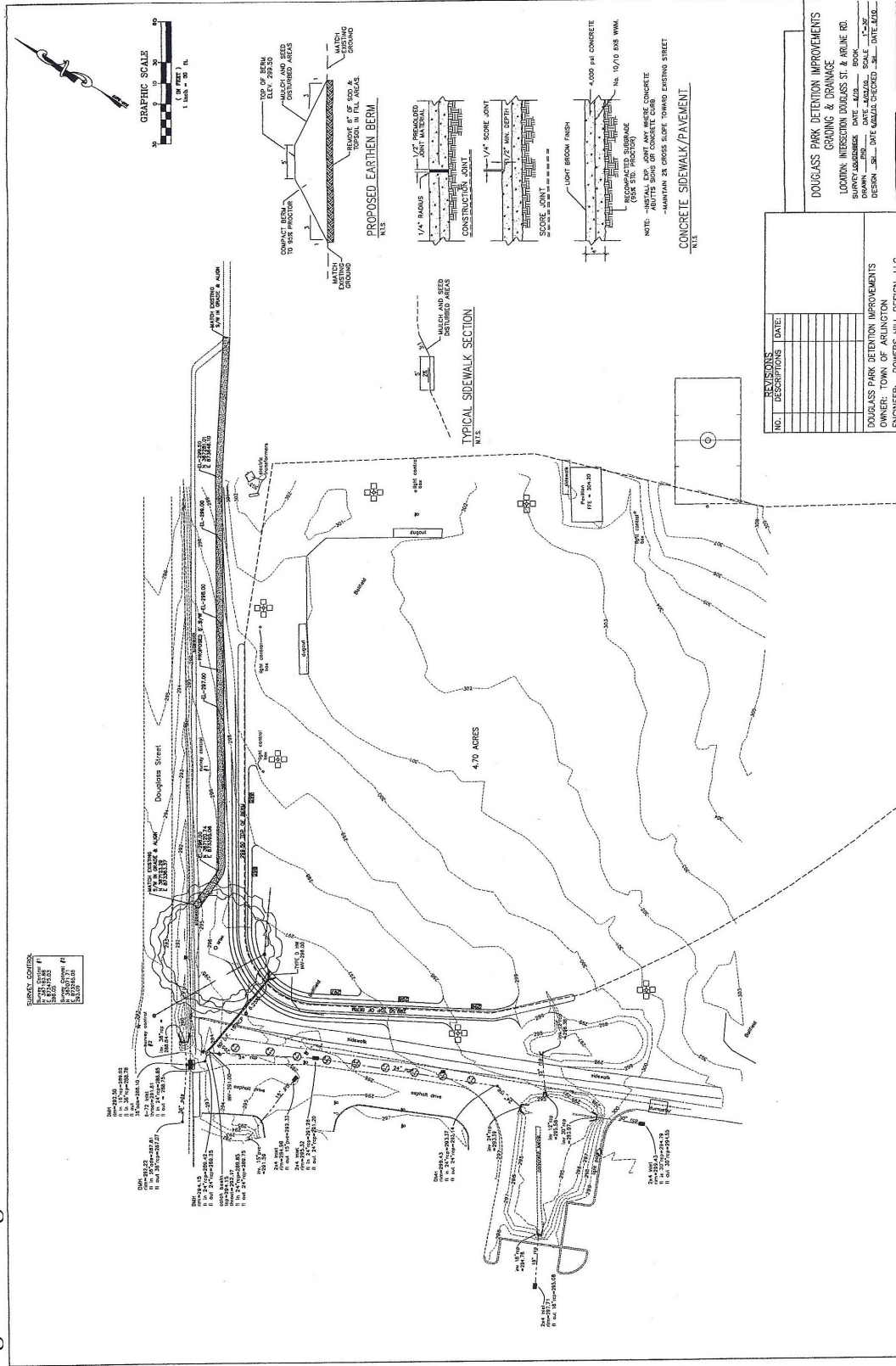
- (1) Disaster Plan Goal: Improvement of drainage in areas affected by the disaster
- (2) Objective: Suitable living environment
- (3) Outcome: Sustainability
- (4) Disaster Plan Priority: Flood Drain Improvements (570.201(c))
- (5) Budgeted Amount: \$105,000.00
- (6) Proposed accomplishment: Prevention of future flooding through mitigation with the design and construction of two detention basins.
- (7) Location: Town of Arlington, Tennessee on the ADC Property, Census Tract 20900-1.

Figure 3 depicts the Arlington Developmental Center Detention Basin. During the flooding that occurred on May 1-2, 2010, the Town of Arlington experienced flooding that impacted the Hidden Meadows Subdivision and the surrounding area. The area is served by an existing detention basin that was unable to sustain the levels of rainfall and runoff that occurred during the storms which took place. Flood waters rose to levels that completely incapacitated the current detention pond serving this portion of the Town of Arlington and backed up into the Hidden Meadows subdivision and surrounding area. Flood waters entered the neighborhood encroaching homeowner's properties, covering road ways, and resulting in flood damage to homeowners in the area. In addition to the flooding that occurred throughout this portion of Arlington, two homes located at 5356 Hidden Meadows Drive and 5348 Hidden Meadows Drive in the affected neighborhood sustained substantial damage due to heavy the heavy rainfall and resulting flood waters.

After the flooding incident, the Engineer for the Town of Arlington, Mr. Steve Hill with PowersHill Design, Inc. conducted a study and checked the entire drainage system of this subdivision to make sure it was clear and unobstructed and functioning as originally designed. Mr. Hill's study also fully checked the entire system for any blockages that could

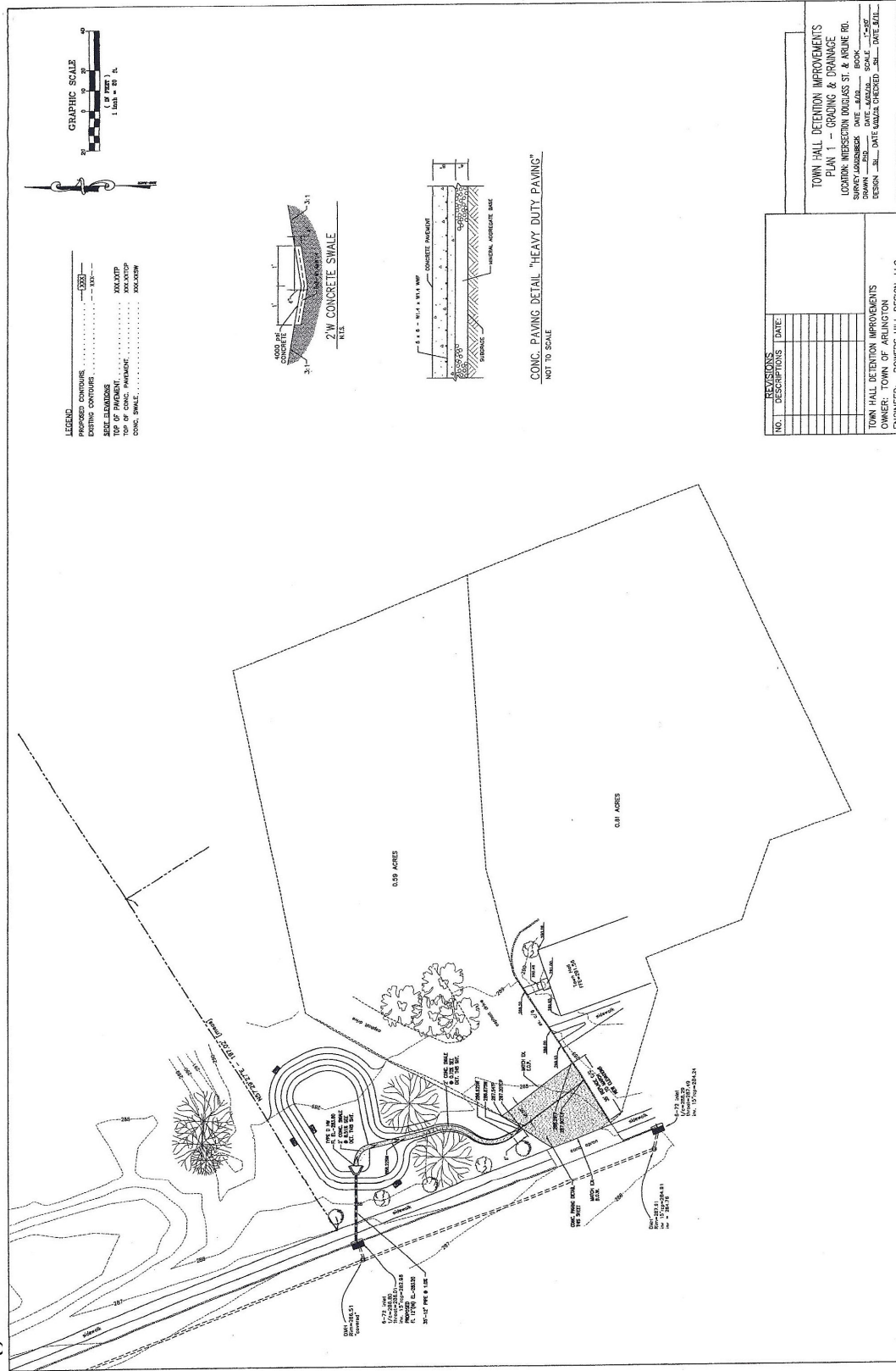
Para mas información en Español, por favor llame al 901-545-4265

Figure 1 Douglas Park Detention Basin



Para mas información en Español, por favor llame al 901-545-4265

Figure 2 Town Hall Detention Basin



Para mas información en Español, por favor llame al 901-545-4265

GRAPHIC SCALE
1" = 100' H.
1" = 100' V.

Revisions

NO.	DESCRIPTION	DATE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

SHEET 1 OF 1

AUC DETENTION BASIN
GRAVITY/DRAINAGE & SANITARY SEWER PROFILE
LOOKING EAC PROPERTY
SUNNY LAUREL
DATE: 11/11/10
SCALE: 1"=100'
DESIGN: J.L. DATE: 11/11/10 CHECKED: J.L. DATE: 11/11/10

THE J.L. and MARGARET
INSTRUMENT 00035988

Shelby County 2010 Disaster Recovery Plan

have played a role in the flooding of the area. What he found was the drainage system was designed for a 10 year storm event. The system was clear, unblocked and able to function as originally designed to address ten year storm system events. However based on the rainfall amounts reported during the designated disaster; the storm event which occurred and resulted in the flooding of this area exceeded measurements typically associated with a 100 year storm event. As a result of this rapid and heavy rainfall and the diversion of water associated with the storms, the pipe capacity was completely exceeded by the rainfall and the fast moving, high rising water entered the Hidden Meadows subdivision, the surrounding area, and heavily damaged two homes located side by side in the subdivision and adjoining the existing detention basin.

Mr. Hill, the engineer designed two (2) alternatives to mitigate or prevent the flooding within the area and specifically address future flood damage to the units adjoining the existing detention basin. One alternative involved an open concrete line channel being placed between the two heavily damaged homes and using one of the front yards as an overflow spillway across the sidewalk and into the street at the front of the homes. During discussion of this design, the homeowners objected to this proposed alternative.

Mr. Hill then recommended a detention basin of approximately 1 ½ acres with a depth of approximately 7 foot to retain and slow the discharge of water that flows into the existing system between the houses that flooded and to prevent the rapid rise of storm water in the area. . This required obtaining permission from the State of Tennessee to build a detention basin on State owned property. At this time the Town of Arlington has obtained permission from the State of Tennessee to utilize property for this design alternative.

The actual effect of this newly designed detention basin when built and completed as per the design will reduce a 100 year storm water peak flow rate down to a 10 year storm level before it enters the existing system which serves the Hidden Meadows subdivision specifically impacts the at the back of the homes severely damaged during this disaster event. The estimated cost of constructing this detention basin is approximately \$105,000.00.

Activity 3. Replacement of Shelby County Fire Engine 69

- (1) Disaster Plan Goal: Replacement damaged fire and rescue equipment.
- (2) Objective: Suitable living environment
- (3) Outcome: Sustainability
- (4) Disaster Plan Priority: Fire Stations/Equipment (570.201(c))
- (5) Budgeted Amount: \$257,339.00
- (6) Proposed accomplishment: Provision of a new fire engine to replace the fire engine destroyed in flood
- (7) Location: Unincorporated Shelby County, Station 69, 7365 Brunswick Road, Census Tracts 20700-2, 20810-1, 20810-2.

Para mas información en Español, por favor llame al 901-545-4265

Figure 4 below depicts the service area for Pumper 69 as well the flooded areas including road closures in northern Shelby County that resulted from the storm system that caused the disaster. During the storms that precipitated the May 2010 disaster declaration for Shelby County, the Shelby County Fire Department lost a pumper (Fire Engine 69) when it was overturned and destroyed by floodwaters rescue efforts underway as a direct result of the floods. The unit was caught up in flood waters and overturned resulting in the complete loss of the vehicle.

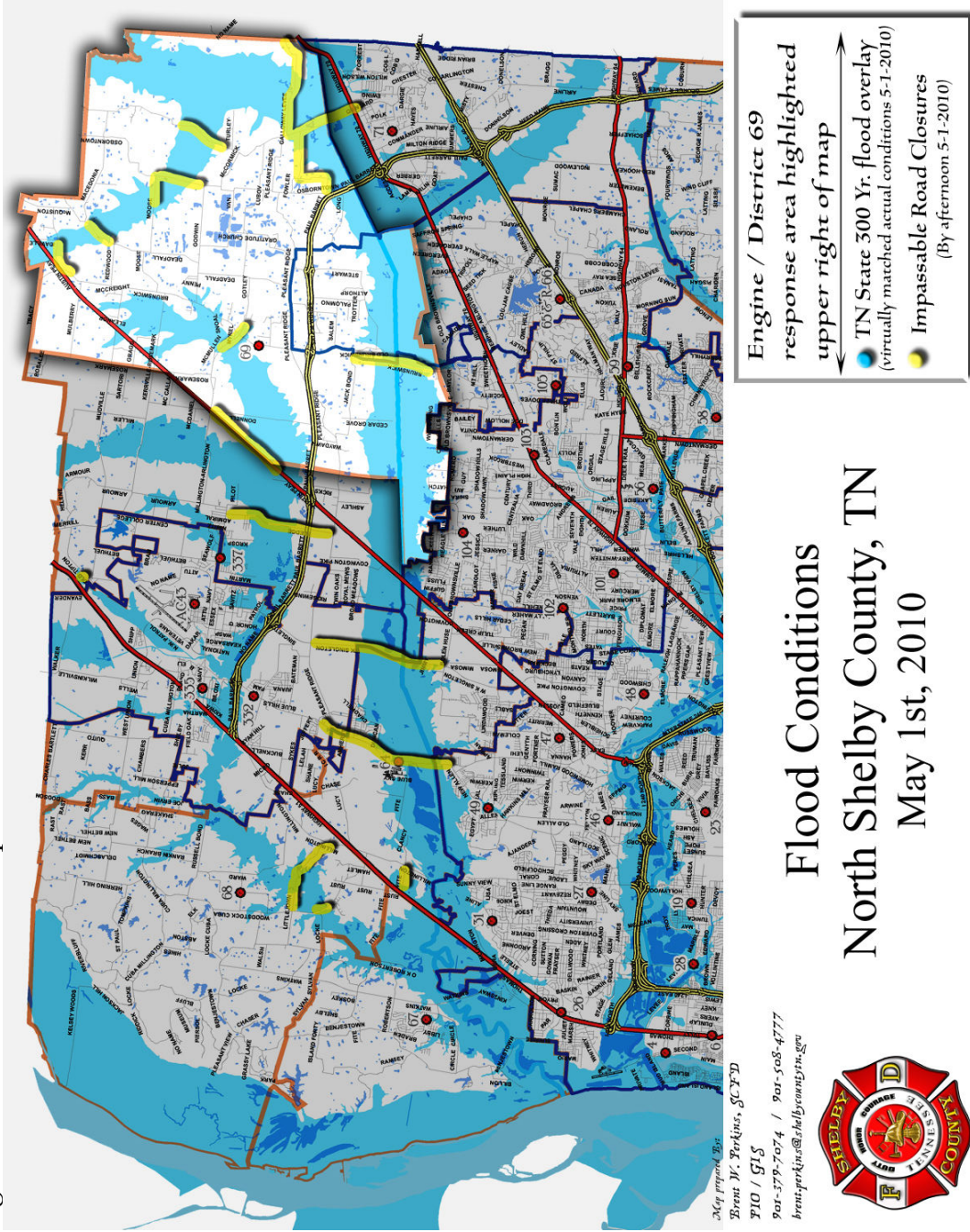
Fire Engine 69 is stationed at the Shelby County Firehouse located at 7365 Brunswick Road. The station serves an area of unincorporated Shelby County located in the northeastern boundaries of the county. Because of the sprawling nature of the service area which splits census tracts, cuts across large swathes of open land, and abuts the city limits of the City of Millington, City of Bartlett, the City of Lakeland, and the Town of Arlington specific street bound and/or geographical boundaries are difficult to lock in simply because of the manner in which the service area is drawn. However, in general Station 69 encompasses Census Tracts 20700-2, 20810-1, 20810-2. Based on 2000 U.S. Census data from when combined as an overall service area percentage, 34.6% of the area is low-to-moderate income which is within the accepted quartile ranking exception criteria which Shelby County falls into for projects.

The station is the primary responder for an area of Shelby County known as Chapel Hill, which is a low income community composed of approximately 100 single family homes. During past fiscal year's Shelby County's Department of Housing has worked closely with residents in this area and have provided over \$1,000,000.00 in regular CDBG and other housing funds assisting homeowners in this area with rehabilitation on their property. This community is essentially encompassed by O'Neil Drive, O'Neil Cove, Leighton Drive, Penny Lane, Robena Lane, Betty Lu Drive, and Godwin Road. Additionally, Station 69 is a secondary responder to the City of Millington for fire and disaster situations.

Presently, a new pumper has been ordered at a cost of \$369,839.00 and an application to the Federal Emergency Management Agency (FEMA) has been submitted by the Shelby County Fire Department in the amount of \$112,500.00 for partial reimbursement of the replacement pumper cost. This leaves Shelby County with a balance of \$257,339.00 for replacement of the pumper lost in the disaster. Shelby County will utilize \$257,339 in CDBG Disaster funding to cover the balance of the replacement costs for this piece of emergency response equipment lost in the floods.

Para mas información en Español, por favor llame al 901-545-4265

Figure 4 Flood Conditions/Pumper 69 Service Area



Para mas información en Español, por favor llame al 901-545-4265

Activity 4. Emergency Flood Relief Pumping Station

- (1) Disaster Plan Goal: Improvement of drainage in areas affected by the disaster
- (2) Objective: Suitable living environment
- (3) Outcome: Sustainability
- (4) Disaster Plan Priority: Flood Drain Improvements (570.201(c))
- (5) Budgeted Amount: \$500,000.00
- (6) Proposed accomplishment: Prevention of future flooding through mitigation with the design and construction of a flood relief pumping station
- (7) Location: Town of Millington, Tennessee Census Tracts 20300-1, 20300-2, and 20300-3.

During the May disaster, this area in Millington was one of the hardest hit portions of Shelby County. The area being served by this project contains approximately 3,851 individuals (of which approximately 52.4% are low mod income), Millington City Hall, Millington Public Works (which itself was underwater), and adjoins portions of the Naval Base (which also experienced evacuations during the storms). More specifically the service area for this activity consist of First Street on the North, Paul Barret Parkway on the South, the Canadian Railroad on the East and Highway 51 on the West.

This project will utilize \$500,000 to add a new pumping facility to the existing detention pond adjacent to existing floodgates which currently serve this portion of Millington. This activity will prevent future flooding of the area by utilizing the new pumps to empty the existing detention pond into Big Creek during future significant rain events. This will impact the area by prevent flooding of nearby apartments and subdivisions which occurred during the disaster when the existing system could not handle the high volume of water resulting from the storms.

Figure 5 depicts the Emergency Flood Relied Pumping Station location as well as the Upper Newport Drainage Channel Improvements (Activity 5 described afterwards).

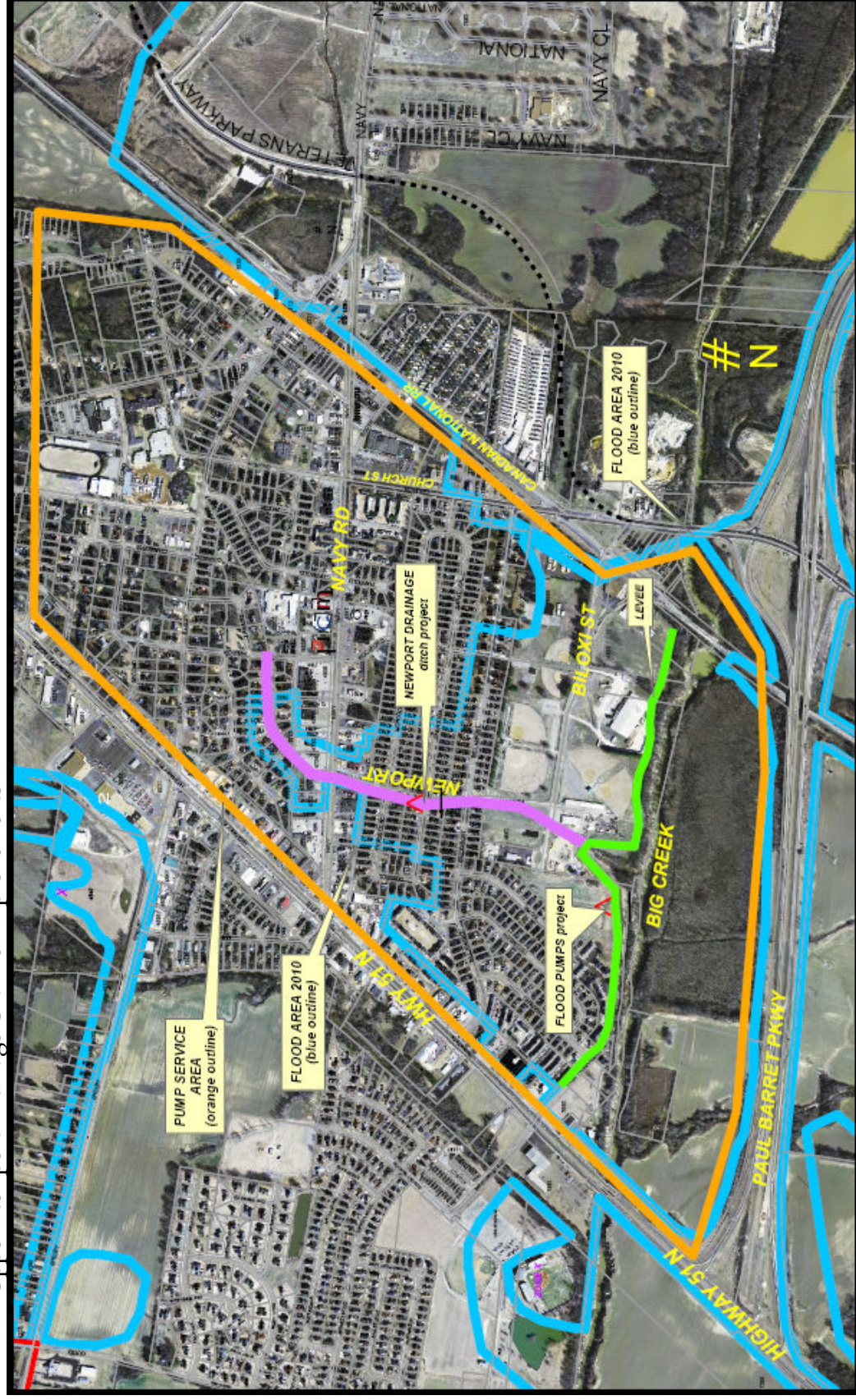
Activity 5. Upper Newport Drainage Channel Improvements

- (1) Disaster Plan Goal: Improvment of drainage in areas affected by the disaster
- (2) Objective: Suitable living environment
- (3) Outcome: Sustainability
- (4) Disaster Plan Priority: Flood Drain Improvements (570.201(c))
- (5) Budgeted Amount: \$75,000.00
- (6) Proposed accomplishment: Prevention of future flooding improving channel flow and reducing water levels during storm events.
- (7) Location: Town of Millington, Tennessee Census Tracts 20300-1, 20300-2, and 20300-3.

As with the Emergency Flood Relief Pumping Station (Activity 4), this project will serve the same area and is designed to prevent flooding of this area in the future. As previously described, the area being served by this project contains approximately 3,851 individuals, and

Para mas información en Español, por favor llame al 901-545-4265

Figure 5 Emergency Flood Relief Pumping Station &
Upper Newport Drainage Channel Improvements



Para mas información en Español, por favor llame al 901-545-4265

based on 2000 Census data is 52.4% low mod income. Again, the service area for this activity consists of First Street on the North, Paul Barret Parkway on the South, the Canadian Railroad on the East and Highway 51 on the West.

This project will utilize \$75,000.00 to provide improvements to the Upper Newport Channel to prevent future flood events in this area. The project will improve Newport Channel flow by removing an existing sewer pipe, water line, and undersized driveway culverts and repair the Newport Channel so that rising storm waters do not exceed the existing capacity of the system and thereby reduce rapidly rising storm water levels during future such storm events in the community.

Activity 6. Program Delivery

- (1) Disaster Plan Goals: Improvement of drainage in areas affected by the disaster and Replacement of damaged fire and rescue equipment.
- (2) Objective: Suitable living environment
- (3) Outcome: Sustainability
- (4) Disaster Plan Priority: General Program Administration (570.206)
- (5) Budgeted Amount: \$166,810.00
- (6) Proposed accomplishment: Prevention of future flooding improving channel flow and reducing water levels during storm events and Provision of a new fire engine to replace the fire engine destroyed in flood
- (7) Location: Shelby County Department of Housing, 1075 Mullins Station Road, Memphis, TN.

This activity will provide up to 15% in CDBG funding for program delivery costs necessary for Shelby County to implement the Disaster Recovery activities and includes, but is not limited to carrying out environmental reviews, monitoring of construction work, and supervising progress associated with the implementation and completion of Disaster Recovery activities.

Activity 7. Administration

- (1) Disaster Plan Goal: Not applicable
- (2) Objective: Not applicable
- (3) Outcome: Not applicable
- (4) Disaster Plan Priority: Program Administration (570.206)
- (5) Budgeted Amount: \$60,639.00
- (6) Proposed accomplishment: Not applicable
- (7) Location: Shelby County Department of Housing, 1075 Mullins Station Road, Memphis, TN.

This activity will provide up to 5% in CDBG funds to carry out the direct administration of this Action Plan and other activities associated with overall administration of the funds as designated for use in Shelby County.

Para mas información en Español, por favor llame al 901-545-4265

CERTIFICATIONS

- A. The grantee certifies that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within its jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard. (See 24 CFR 570.487(b)(2).)
- B. The grantee certifies that it has in effect and is following a residential antidisplacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG program.
- C. The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
- D. The grantee certifies that the Action Plan for Disaster Recovery is authorized under State and local law and that the grantee, and any entity or entities designated by the State, possess(es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations and this Notice.
- E. The grantee certifies that it will comply with the acquisition and relocation requirements of the URA, as amended, and implementing regulations at 49 CFR part 24, except where waivers or alternative requirements are provided for this grant.
- F. The grantee certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.
- G. The grantee certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105 or 91.115, as applicable (except as provided for in notices providing waivers and alternative requirements for this grant). Also, each unit of local government receiving assistance from the grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant).
- H. Each State receiving a direct award under this Notice certifies that it has consulted with affected units of local government in counties designated in covered major disaster declarations in the non-entitlement, entitlement, and tribal areas of the State in determining the method of distribution of funding.
- I. The grantee certifies that it is complying with each of the following criteria:
- (1) Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure, housing, and economic

Para mas información en Español, por favor llame al 901-545-4265

revitalization in areas affected by severe storms and flooding that occurred between March and May, 2010, for which the President declared a major disaster covering an entire State, or States with more than 20 counties declared major disasters, under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 *et seq.*).

- (2) With respect to activities expected to be assisted with CDBG disaster recovery funds, the Action Plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families.
- (3) The aggregate use of CDBG disaster recovery funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 50 percent of the amount is expended for activities that benefit such persons during the designated period.
- (4) The grantee will not attempt to recover any capital costs of public improvements assisted with CDBG disaster recovery grant funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:
 - (A) Disaster recovery grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or
 - (B) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (A).

J. The grantee certifies that the grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601–3619) and implementing regulations.

K. The grantee certifies that it has and that it will require UGLGs that receive grant funds to certify that they have adopted and are enforcing:

- (1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and

Para mas información en Español, por favor llame al 901-545-4265

- (2) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

L. Each State receiving a direct award under this Notice certifies that each State grant recipient or administering entity has the capacity to carry out disaster recovery activities in a timely manner, or the State has a plan to increase the capacity of any State grant recipient or administering entity that lacks such capacity.

M. The grantee certifies that it will not use CDBG disaster recovery funds for any activity in an area delineated as a special flood hazard area in FEMA's most current flood advisory maps, unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain, in accordance with Executive Order 11988 and 24 CFR part 55.

N. The grantee certifies that it will comply with applicable laws.

Signature/Authorized Official

Date

Mayor of Shelby County, Tennessee
Title

Para mas información en Español, por favor llame al 901-545-4265